

<p style="text-align: right;">Page 82</p> <p>1 The plan was to put them in last year, but -- you know.</p> <p>2 Q Okay. But there is a plan for such --</p> <p>3 A Oh, yes.</p> <p>4 Q -- other doors?</p> <p>5 A Oh, yes.</p> <p>6 Q Okay. And the plywood -- was anything other</p> <p>7 than plywood used to secure the main house?</p> <p>8 A Yes.</p> <p>9 Q What?</p> <p>10 A A product called Storm Catcher.</p> <p>11 Q What is that?</p> <p>12 A It's a Kevlar-based product similar to</p> <p>13 Armor Screen that is made -- that is to Dade County</p> <p>14 Specifications. My understanding is it's supposed to stop</p> <p>15 95 percent of wind and rain up to 150 miles per hour.</p> <p>16 Q Okay. Which would leave 75 miles an hour if</p> <p>17 it's 225; right?</p> <p>18 A The Storm Catcher survived just fine.</p> <p>19 Q Okay. Did any of the plywood have a breach or</p> <p>20 disappear?</p> <p>21 A No. And, again, the 225 was just kind of rumor</p> <p>22 on the island as to --</p> <p>23 Q Understood.</p> <p>24 A -- what the maximum winds -- sustained winds. I</p> <p>25 don't think they were actually measured or there was --</p>	<p style="text-align: right;">Page 84</p> <p>1 destroyed on the island. And -- you know, we had a --</p> <p>2 quite a bit of cosmetic damage, foliage damage, generator</p> <p>3 damage. You know, had a new truck, a deck went through</p> <p>4 the windshield -- you know, and the like. You know, the</p> <p>5 actual physical integrity of the structures held.</p> <p>6 Q Did you have property insurance?</p> <p>7 A We did have property insurance.</p> <p>8 Q And did -- how did that work? Did you make a</p> <p>9 claim?</p> <p>10 A It didn't work out very well.</p> <p>11 Q Okay.</p> <p>12 A We were underinsured. And so there's a</p> <p>13 tremendous penalty for being underinsured and -- you know,</p> <p>14 it was my -- so at the end of the day, no, we really did</p> <p>15 not make out very well at all.</p> <p>16 Q Who was the insurance with?</p> <p>17 A It was through Lloyd's. Don't recall which</p> <p>18 Lloyd's underwriter it was.</p> <p>19 Q Did you have an agent?</p> <p>20 A No. Did we have an agent? Yeah. I think the</p> <p>21 pro- -- the product was purchased through Tunick Insurance</p> <p>22 in -- in -- they have an office in St. John.</p> <p>23 Q Does it still exist?</p> <p>24 A Tunick is still in existence.</p> <p>25 Q Were -- was there an amount paid out?</p>
<p style="text-align: right;">Page 83</p> <p>1 was ability to actually measure them on St. John.</p> <p>2 Q Do you know if it was a direct hit to St. John?</p> <p>3 A I don't think it was a direct hit. But the</p> <p>4 eye- -- portion of the eyewall did go over the island.</p> <p>5 Q How long -- are you aware of how long the</p> <p>6 hurricane-force winds were battering the island?</p> <p>7 A Couple hours. I mean, that's just a guess.</p> <p>8 Q Yeah. Do you remember the speed of the storm?</p> <p>9 Its forward speed, for example?</p> <p>10 A Not really.</p> <p>11 Q Okay. And you're not a meteorologist, I take</p> <p>12 it?</p> <p>13 A No.</p> <p>14 Q Was there any damage to any of the property</p> <p>15 other than the roof lift- -- lifting up?</p> <p>16 A Yes.</p> <p>17 Q What -- what -- describe the damage.</p> <p>18 A We lost a bit of plaster on a number of</p> <p>19 structures. Our generator took a strike. Someone's roof</p> <p>20 took off the console -- or the center console for our</p> <p>21 boat.</p> <p>22 Q Someone else's roof?</p> <p>23 A Yeah.</p> <p>24 Q Okay.</p> <p>25 A Yeah. About 50 percent of the homes were</p>	<p style="text-align: right;">Page 85</p> <p>1 A There was an amount paid out.</p> <p>2 Q And what was that amount?</p> <p>3 A 100,000, I'm thinking. I -- I could be off. It</p> <p>4 could be a little more. I don't think it was less.</p> <p>5 Q Do you remember the total amount of the</p> <p>6 coverage?</p> <p>7 A I believe we had a million-dollar coverage. Or</p> <p>8 at least the property was insured for up to a million</p> <p>9 dollars.</p> <p>10 Q Was there any claim made -- I know a claim was</p> <p>11 made.</p> <p>12 Was there any litigation that arose out of the</p> <p>13 property insurance claim?</p> <p>14 A Yeah. We had to sue.</p> <p>15 Q And was that a settlement for 100,000 plus?</p> <p>16 A It was -- I mean, again, I don't recall the</p> <p>17 exact number, but, yeah, it was a settlement.</p> <p>18 Q Where was the suit?</p> <p>19 A It was in the Virgin Islands.</p> <p>20 Q Which court?</p> <p>21 A District Court.</p> <p>22 Q When did that resolve?</p> <p>23 A Hurricane -- it was 2017, was the hurricane.</p> <p>24 Before 2020.</p> <p>25 Q And how did it resolve? Was it a mediation?</p>

<p style="text-align: right;">Page 86</p> <p>1 Did it go to trial?</p> <p>2 A No. It resolved by way of settlement. And I</p> <p>3 should add that amount is -- whatever amount was paid was</p> <p>4 a confidential amount.</p> <p>5 Q Okay.</p> <p>6 A So I'm going to ask Ms. Reporter to note the --</p> <p>7 any dollar amount I probably shouldn't be saying it</p> <p>8 without permission to do so.</p> <p>9 Q Okay. Did you sign a release --</p> <p>10 A I prob- --</p> <p>11 Q -- pursuant to that settlement?</p> <p>12 A I'm sure I did.</p> <p>13 Q And are you 100 percent sure there's a</p> <p>14 confidentiality provision?</p> <p>15 A I would say yes because since I've been</p> <p>16 practicing in the Virgin Islands, every single lawsuit</p> <p>17 I've ever been involved in has a confidentiality</p> <p>18 provision. They're very big on them down there.</p> <p>19 Q Okay. And who was the suit against? You</p> <p>20 versus -- or tell me who the plaintiffs were and who --</p> <p>21 A We were the -- Sarah and I were the plaintiffs</p> <p>22 versus the underwriter -- underwriting entity. I don't</p> <p>23 recall --</p> <p>24 Q Do you remember the name?</p> <p>25 A No. I -- it was a Lloyd's underwriter. I don't</p>	<p style="text-align: right;">Page 88</p> <p>1 issues with the roof of the main house are limited to the</p> <p>2 east side?</p> <p>3 A I wouldn't say limited. But my understanding is</p> <p>4 that the clips that were discovered to be missing were on</p> <p>5 the east side.</p> <p>6 Q Okay.</p> <p>7 A The entire roof has not been ripped up, so I</p> <p>8 don't know. And I'm not going to speculate. But the</p> <p>9 failure -- failed areas that we're aware of are on the</p> <p>10 east side.</p> <p>11 Q Okay. So this -- I don't know -- this bouncing</p> <p>12 that was -- that you've described, is that predominately</p> <p>13 on the east side?</p> <p>14 A Yes.</p> <p>15 Q Okay. Does the west side have any of that</p> <p>16 bounce?</p> <p>17 A I don't know.</p> <p>18 Q Okay. And how about north and south? Or is it</p> <p>19 strictly an east or a west thing?</p> <p>20 A It may not necessarily be -- you know --</p> <p>21 Q I'm not going to --</p> <p>22 A -- it's the area facing the ocean.</p> <p>23 Q Okay.</p> <p>24 A Which is a good -- you've seen pictures, I</p> <p>25 think.</p>
<p style="text-align: right;">Page 87</p> <p>1 recall specifically the -- the name of it.</p> <p>2 Q Okay. All right. Let's go ahead and take a</p> <p>3 break. We've been going for two hours. I'd like to take</p> <p>4 a break for the court reporter and anybody who wants a</p> <p>5 break.</p> <p>6 A Sure.</p> <p>7 (Off the record at 12:06 p.m.)</p> <p>8 (On the record at 12:12 p.m.)</p> <p>9 BY MR. COSBY:</p> <p>10 Q Do you know anything about the structures that</p> <p>11 existed on the property prior to your purchase of the</p> <p>12 property?</p> <p>13 A Yes.</p> <p>14 Q And I mean before whatever Hur- -- you said</p> <p>15 Hurricane Marilyn took those down.</p> <p>16 So do you have an idea, either through pictures</p> <p>17 or otherwise, what it looked like previously?</p> <p>18 A Yes.</p> <p>19 You know, real quick, I just want to make</p> <p>20 sure -- I may -- I want to make clear that the clips that</p> <p>21 were missing were on the east side, not the west side.</p> <p>22 Q Okay.</p> <p>23 A And Sarah mentioned to me during the break I may</p> <p>24 have confused those two.</p> <p>25 Q Okay. So is it your understanding that the</p>	<p style="text-align: right;">Page 89</p> <p>1 Q Right. Yeah.</p> <p>2 A So the area facing the ocean is the area of</p> <p>3 concern.</p> <p>4 Q Okay. Have you walked the entire roof or the</p> <p>5 majority of the roof since Irma?</p> <p>6 A I -- I'm sure I did.</p> <p>7 Q Okay.</p> <p>8 A I don't specifically recall everything about the</p> <p>9 roof, but I'm sure I walked around on the roof.</p> <p>10 Q Right. What areas were there actual breaches of</p> <p>11 the roof? In other words -- let me -- let me retract</p> <p>12 that question. Let me ask a different question.</p> <p>13 Were there actual breaches in the roof?</p> <p>14 A There was one area that there was a minor</p> <p>15 breach -- the master bedroom on the north side.</p> <p>16 Q Okay.</p> <p>17 A Or the approximate north side of the property.</p> <p>18 Q Do you know if there were any components of the</p> <p>19 roof that blew away or were missing completely --</p> <p>20 A No.</p> <p>21 Q -- after Irma?</p> <p>22 A No. The -- the challenge or the breaches</p> <p>23 occurred because of, I believe, debris. There were homes</p> <p>24 above us and around us that were flattened. And our</p> <p>25 speculation is --</p>